

**11-36a-403 Other provisions of impact fee enactment.**

- (1) A local political subdivision or private entity may include a provision in an impact fee enactment that:
  - (a) provides an impact fee exemption for:
    - (i) development activity attributable to:
      - (A) low income housing;
      - (B) the state;
      - (C) subject to Subsection (2), a school district; or
      - (D) subject to Subsection (2), a charter school; or
    - (ii) other development activity with a broad public purpose; and
  - (b) except for an exemption under Subsection (1)(a)(i)(A), establishes one or more sources of funds other than impact fees to pay for that development activity.
- (2) An impact fee enactment that provides an impact fee exemption for development activity attributable to a school district or charter school shall allow either a school district or a charter school to qualify for the exemption on the same basis.
- (3) An impact fee enactment that repeals or suspends the collection of impact fees is exempt from the notice requirements of Section 11-36a-504.

Enacted by Chapter 47, 2011 General Session